

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

ELGIN SEPARATION
SOLUTIONS, LLC, and CMI/CSI LLC
f/k/a CENTRIFUGAL SERVICES, LLC,

Plaintiffs,

v.

Case No. 2:23-cv-00440
Judge Irene C. Berger

DAVID CHADWICK DILLON, DILLON
INDUSTRIES, INC., and DONALD RITCHIE,

Defendants.

MOTION FOR ATTORNEY'S FEES

Pursuant to Rule 54 of the Federal Rules of Civil Procedure, and as a result of the judgment entered by this Court on June 24, 2025, Defendants David Chadwick Dillon and Dillon Industries (collectively, the “Dillon Defendants”) respectfully move this Court to award attorney’s fees to Dillon Defendants pursuant to: the Defend Trade Secrets Act, 18 U.S.C. § 1836(b)(3)(D); the West Virginia Uniform Trade Secrets Act, W. Va. Code § 47-22-3; the Copyright Act, 17 U.S.C. § 505; the Lanham Act, 15 U.S.C. § 1117 and this Court’s inherent authority. The grounds for this Motion are more fully set forth in Dillon Defendants’ Memorandum of Law in Support of Its Motion for Attorneys’ Fees, filed contemporaneously herewith.

The Dillon Defendants fairly estimate the attorney fees they seek in this matter to be \$541,338.01. The Dillon Defendants have not received the final invoices related to fees and costs incurred during the trial of this matter, nor have they received the full trial transcript. While the Dillon Defendants have attached a memorandum of law outlining the general support for its claims for fees, the Dillon Defendants respectfully request that the Court set a schedule for

further briefing on the issue of the Dillon Defendants’—and potentially Don Ritchie’s—request for attorney’s fees to allow for the preparation of the trial transcript and a final accounting of fees and costs.¹

Respectfully submitted,

**DAVID CHADWICK DILLON AND
DILLON INDUSTRIES, INC.**

By Counsel

/s **M. Shane Harvey**

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*Counsel for David Chadwick Dillon and
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¹ Furthermore, allowing for additional time for the briefing to be completed would allow for the time for Plaintiffs to file any post-trial motions. Should Plaintiffs file such motions, Defendants will respond and seek fees as appropriate related to the drafting of the responses to Plaintiffs’ post-trial motions.

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **Motion for Attorney's Fees** was served upon all parties via the Court's CM/ECF system on this **8th day of July, 2025**, to the following attorneys of record:

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